

SENATE BILL 2903

By McNally

AN ACT to amend Tennessee Code Annotated, Section
38-6-121, relative to certain missing citizens.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 38-6-121, is amended by deleting the section in its entirety and by substituting instead the following:

§ 38-6-121

(a) The general assembly finds that in the case of a missing citizen who has wandered due to dementia, the first few hours are critical in finding the citizen. To aid in the identification and location of missing citizens, there is created the missing senior citizen alert program. This program shall be coordinated by local law enforcement agencies which may choose to seek the assistance of nonprofit organizations such as A Child is Missing or the Alzheimer's Association.

(b) For the purposes of this section, "missing citizen" means a person:

(1) Whose whereabouts are unknown;

(2) Who has an impaired mental condition as determined by a caregiver's statement; and

(3) Who is believed to be in danger because of age, health, mental or physical disability, in combination with environmental or weather conditions, or is believed to be unable to return to safety without assistance.

(c)

(1) When a local law enforcement agency receives notice that a citizen with a condition described in subsection (b) is missing and a caregiver's statement, the agency is urged to begin the search immediately.

(2) Once the local law enforcement agency verifies that the wandering citizen is missing, local law enforcement may notify A Child is Missing, the Alzheimer's Association, or any other such nonprofit assistance program to activate its alert program.

(3) Local law enforcement shall enter the report of the missing citizen with an impaired mental condition into the national crime information center (NCIC) within four (4) hours of the completion of the verification process.

(4) The alert may be sent to designated media outlets in this state at the discretion of the local law enforcement agency. Media outlets shall be strongly encouraged to publicize the information provided in order to promote the safe recovery of the missing citizen. If the alert is sent to media outlets, it shall contain all appropriate information from the local law enforcement agency that may assist in the safe recovery of the missing citizen and a statement instructing anyone with information related to the missing citizen to contact their local law enforcement agency.

(5) The alert shall be cancelled by the local law enforcement agency upon notification that the missing citizen has been found, including cancellation of the missing person entry into NCIC.

SECTION 2. This act shall take effect July 1, 2010, the public welfare requiring it.